

RESOLUTION NO. A-_____

USE PERMIT NO. 141

1 WHEREAS, Thompson Creek, L.L.C. has submitted an application in
2 accordance with Section 27.27.080 of the Lincoln Municipal Code designated as Use
3 Permit No. 141 for authority to construct 114,500 sq. ft. of office space which includes
4 37,000 square feet of live-work office space and 16 dwelling units, with waivers of the
5 required setbacks, a reduction of the required parking, and a reduction of the required
6 open space for dwellings, on property generally located east of South 56th Street and
7 Union Hill Road, and legally described to wit:

8 Lot 35 Irregular Tract, in the South Half of the Northwest
9 Quarter of Section 21, Township 9 North, Range 7 East of
10 the 6th P.M., Lancaster County, Nebraska, and more fully
11 described by metes and bounds as follows:

12 Referring to the southwest corner of said South Half of the
13 Northwest Quarter; thence north 89 degrees 58 minutes 01
14 seconds east (an assumed bearing) on the south line of said
15 South Half, a distance of 50.00 feet to a point on the east
16 right-of-way line of South 56th Street; thence north 00
17 degrees 00 minutes 00 seconds east, on said line, a
18 distance of 517.32 feet to the point of beginning; thence
19 south 90 degrees 00 minutes 00 seconds east, a distance of
20 160.42 feet; thence south 00 degrees 00 minutes 00
21 seconds west, a distance of 17.50 feet; thence south 89
22 degrees 59 minutes 59 seconds east, a distance of 62.43
23 feet to the point of curvature of a curve to the right, having a
24 central angle of 19 degrees 47 minutes 51 seconds, a radius
25 of 323.00 feet, an arc length of 111.61 feet, a chord length
26 of 111.05 feet and a chord bearing south 80 degrees 06
27 minutes 04 seconds east; thence on said curve, a distance
28 of 111.61 feet to the point of tangency; thence north 25
29 degrees 05 minutes 42 seconds east, a distance of 307.59
30 feet; thence north 15 degrees 12 minutes 17 seconds east,
31 a distance of 145.62 feet to the point of curvature of a curve

1 to the right, having a central angle of 15 degrees 13 minutes
2 43 seconds, a radius of 564.00 feet, an arc length of 149.91
3 feet, a chord length of 149.46 feet and a chord bearing
4 south 82 degrees 24 minutes 35 seconds east; thence on
5 said curve, a distance of 149.91 feet to the point of
6 tangency; thence north 89 degrees 58 minutes 34 seconds
7 east, a distance of 146.83 feet; thence south 87 degrees 58
8 minutes 33 seconds east, a distance of 27.12 feet; thence
9 north 00 degrees 01 minutes 26 seconds west, a distance of
10 259.97 feet; thence south 89 degrees 58 minutes 29
11 seconds west, a distance of 314.67 feet to the point of
12 curvature of a curve to the right, having a central angle of
13 171 degrees 23 minutes 32 seconds, a radius of 60.00 feet,
14 an arc length of 179.48 feet, a chord length of 119.66 feet
15 and a chord bearing north 04 degrees 21 minutes 07
16 seconds west; thence on said curve, a distance of 179.48
17 feet to the point of tangency; thence north 00 degrees 00
18 minutes 00 seconds east, a distance of 60.69 feet to the
19 north line of the South Half; thence south 89 degrees 58
20 minutes 34 seconds west, on said line, a distance of 499.12
21 feet; thence south 00 degrees 00 minutes 00 seconds west,
22 on the east right-of-way line of South 56th Street, a distance
23 of 801.48 feet to the point of beginning and containing a
24 calculated area of 10.502 acres, more or less;

25 WHEREAS, the real property adjacent to the area included within the site
26 plan for this will not be adversely affected; and

27 WHEREAS, said site plan together with the terms and conditions
28 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
29 Municipal Code to promote the public health, safety, and general welfare.

30 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
31 Lincoln, Nebraska:

32 That the application of Thompson Creek, L.L.C., hereinafter referred to as
33 "Permittee", to construct 114,500 sq. ft. of office space which includes 37,000 sq. ft. of
34 live-work office space and 16 dwelling units, on the property legally described above be
35 and the same is hereby granted under the provisions of Section 27.27.080 of the

Lincoln Municipal Code upon condition that construction and operation of said office space and dwelling units be in strict compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves 114,500 square feet of office space which includes 37,000 sq. ft. of live-work office space and 16 dwelling units.

2. The required setback adjustments are hereby waived to allow the specific setbacks to be determined through an administrative amendment.

3. A reduction in the required parking for the live/work units is approved.

4. A reduction of the required open space for dwellings is hereby approved.

5. Before receiving building permits:

a. The Permittee must submit a revised final plan with five copies.

b. The construction plans must conform to the approved plans.

c. Final plans within the area of this Use Permit must be approved by the City.

6. Before occupying the dwelling units, all development and construction must be completed in conformance with the approved plans.

7. All privately-owned improvements must be permanently maintained by the Owner or an appropriately established homeowners association approved by the City Attorney.

1 8. The site plan approved by this permit shall be the basis for all
2 interpretations of setbacks, yards, locations of buildings, location of parking and
3 circulation elements, and similar matters.

4 9. The terms, conditions, and requirements of this resolution shall be
5 binding and obligatory upon the Permittee, its successors and assigns. The building
6 official shall report violations to the City Council which may revoke this use permit or
7 take such other action as may be necessary to gain compliance.

8 10. The Permittee shall sign and return the City's letter of acceptance
9 to the City Clerk within 30 days following approval of this use permit, provided, however,
10 said 30-day period may be extended up to six months by administrative amendment.
11 The City Clerk shall file a copy of the resolution approving this use permit and the letter
12 of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by
13 the Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2002:

Mayor